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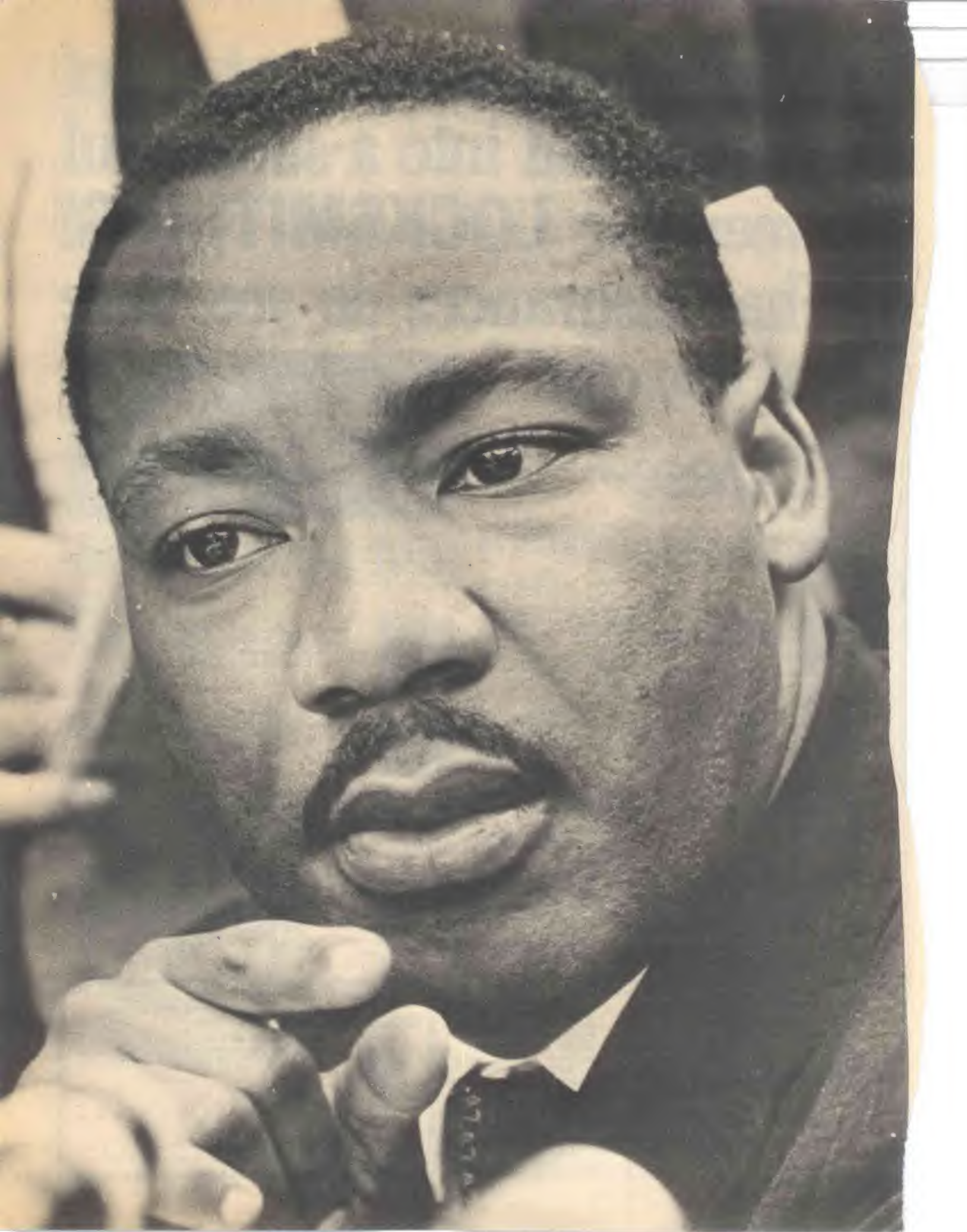
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Cover Photograph by Bill Oursler



In light of recent, and shocking,
revelations by Congressional committees
concerning the CIA and the FBI:

- unanswered questions concerning the two agencies' connection with Lee Harvey Oswald, the alleged assassin of Pres. John F. Kennedy;
- their withholding vital evidence and information from the Warren Commission;
- destruction of important data, laboratory analyses, and memorandum; and
- suggestions of a cover-up;
- the FBI's apparent vendetta against Dr. Martin Luther King, Jr.;
- their efforts to destroy the Nobel Peace Prize winner, even suggesting that he commit suicide;
- their bugging and surveillance practices that violated Constitutional protections; and
- their seeming lack of investigatory zeal following Dr. King's assassination

the Editors of SAGA feel—in view of the current revival of interest in the wave of political assassinations that swept our country, and the overwhelming public clamor to reopen these cases—it is our public duty to reprint the following article which appeared in our October 1969 issue.

WHO REALLY KILLED MARTIN LUTHER KING?

By Warren Smith with Renfro T. Hays

Renfro T. Hays, a Memphis, Tenn., private investigator, was hired to develop a case for the defense of James Earl Ray. Hays is a former college football player turning flabby with the extra pounds of his 40 years. He moves with the slow, unhurried ease of the native-born Southerner. He has a thick, broad Southern accent during normal conversation. When he gets excited, his face develops a nervous tic and he talks rapidly, like a Southern auctioneer selling cotton.

Hays was hired by Birmingham attorney, Art Hanes, who was the first defense counsel for James Earl Ray. Hays had previously investigated automobile accidents. He can look at the skid marks, the crumpled metal and the battered hulks of cars and determine what happened to cause an accident.

"I was just a happy ole Southern boy with a nice comfortable business," drawled Hays. "I wasn't concerned with the King case, except as a citizen reading the newspapers. When Art Hanes came to Memphis he asked several local attorneys to suggest an investigator for the defense. They recommended me. I've done some criminal investigations in the past. The phone rang one afternoon and Art was on the line. Life really hasn't been the same since then."

Hays developed a case that, he insists, would have won an acquittal for Ray. "We were over at the Holiday Inn, planning our strategy for the trial when the deputy came to the door with the notice that we'd been fired," he said. "Percy Foreman came in on the case. He never called me. He never even

asked for my files. I'm convinced James Earl Ray never pulled that trigger to kill Dr. King."

Hays headed for skid row when he started his investigation. "I moved down there and started listening," he said. "After the assassination, they flew Ramsey Clark and a whole army of FBI agents in here. This is just personal opinion, but I don't believe they handled the investigation correctly. They came in suits, white shirts, ties, and badges.

"The people on skid row know that the law is 'TnT'—Time and Trouble," Hays continued. "A lot of people simply said they didn't know anything. If you don't know anything, you don't get slapped in jail as a material witness. It's an easy way out."

Another factor was racial prejudice. "More than one person in Memphis felt



Martin Luther King standing on the balcony where, authorities say, he was shot by James Earl Ray (right).



that James Earl Ray should have been given a medal instead of a life sentence," Hays said frankly. "Witnesses of that nature were not about to step forward with any evidence, good or bad."

Renfro Hays rented a room on South Main Street, hung out in the skid row bars and made friends with the hard cases, the alkys, the weeping winos, and the beer-bellied broads.

Here is what he found out during the investigation—an investigation in which this writer took part at a later point.

At six p.m. on the evening of April 4, 1968, a middle-aged woman stretched out on a rumpled bed in apartment No. 6, in a cheap flophouse at 422½ South Main Street in Memphis, Tenn. Grace E. Stephens, a slightly-built woman with a purple splotched face, had recently been released from a Memphis hospital for injuries requiring skin grafts. After she returned to skid row, and her common-law husband, Charles Quitman Stephens, Grace had neglected the grafts and infection had developed. She was ordered to remain quiet until the infection healed.

Charles Stephens had been in and out of the apartment during the afternoon. The door to their cheap apartment was open; it was a custom among the roomers in the dilapidated flophouse to leave their doors open. Grace Stephens watched people come and go in the hallway. The bathroom was located next to her apartment and, sometimes, people stopped to talk, or share a drink with her.

At 6:01 p.m., the evening stillness was shattered by the roaring blast of a high-powered rifle. A bullet sped at 2,600 feet per second toward its target.

The slug smashed into the right jaw of Dr. Martin Luther King, Jr., slashed his spinal cord and slammed his body to the balcony floor of the Lorraine Motel.

The noise of the explosion was still echoing in the arcade outside her window, when Grace Stephens saw a man leave the bathroom. "I'll never forget him," she would later tell Renfro Hays. "Seeing that man has changed my life and caused me to be locked up in a mental hospital."

Grace Stephens is the only person who got a good look at (and gave a description of) the man who fled from the bathroom. She should have been a vital witness in solving the case. Yet, only a brief time after fugitive James Earl Ray was arrested in London, and returned to Memphis, Mrs. Stephens disappeared from her flophouse rooms. She vanished from her skid row haunts!

In one of the most startling aspects of the King case, she was committed to a Tennessee mental hospital at Bolivar, Tenn., under circumstances that are unusual and suspicious.

Until now, her story has not been told. Although she was an important eyewitness, she was ignored by the prosecution and not named in the list of potential witnesses.

Why?

Grace Stephens' description of the man who fled from the bathroom does not match that of James Earl Ray!

Here is her witnessed and signed statement of the events of April 4, 1968. This statement was obtained by Renfro T. Hays, after he discovered Grace Stephens was a frightened patient at Western Tennessee State Mental Hospital, Bolivar, Tenn. The statement was obtained on Nov. 5, 1968, and has never appeared in print or been made

public until now. It reads:

"My name is Grace Hays Walden and at this time I am a patient in a hospital. I was living at 422½ South Main Street, Memphis, Tennessee, on 4 April 1968. I was living in the apartment next to the bathroom at that address. I was ill at that time in body. During that afternoon, before 6 o'clock, I heard the man in the room next to me go to the bathroom several times and try to get in, but evidently its door was locked.

"At about 6 o'clock I heard a shot. I cannot tell where the shot came from. I know it echoed in the arcade beside my window. At this time, Charles Stephens was in the kitchen fixing a radio. Right after the shot a man left the bathroom and went down the hall and down the steps to Main Street. I saw this man as he passed the door of my room.

"My best guess of this man's age was in his 50's. This man was not as tall as I am. He was small bone built. He had on an army colored hunting jacket, unfastened, and dark pants. He had on a plaid sports shirt. His hair was salt and pepper color and he carried something long in his right hand but I cannot swear what it was. Charlie was still in the kitchen then but he got to our door by the time the man had gotten to the head of the stairs. Charles Stephens went out in the hall and looked down the hall. In about two minutes Charlie came back into the room. We heard screaming at the motel but it was quite some time before anyone came up to our room.

"A newspaper reporter came up to our room before the police came. Around 10 p.m., the police came and we went down to police headquarters. I believe I gave a statement to Inspector Zachery. This statement was more than



The sniper's view of the Lorraine Motel in Memphis. A detective examines the gun used to kill Martin Luther King.



one page. Charles Stephens had not had much to drink that day. He was drinking port wine. Within two or three days after this, a London newspaper man gave Charlie some money for his story. He gave him more than one bill. Someone else gave him a single bill. I have read this statement of one and two-thirds pages and it is true to the best of my knowledge and belief. I have not been promised any reward or threatened in any way."

Signed: Grace Hays Stephens
Witness: SIGNED: Dorothy S. Tanwich,
Nursing Supervisor

Grace Stephens is a small woman and she estimated the man who left the bathroom was not as tall as her. James Earl Ray is five feet, 10 inches in height. Grace Stephens estimated the man was in his 50's. James Earl Ray is 40. Ray was wearing a dark suit, a narrow black tie and a white shirt that day. Grace Stephens saw a man clad in an Army (or olive drab) hunting jacket, dark pants, and a plaid sports shirt. James Earl Ray is dark haired. Mrs. Stephens distinctly remembered the salt and pepper color of the fleeing man's hair.

It is apparent that Grace E. Stephens did not see James Earl Ray leave the bathroom immediately after the shooting. She identified someone other than Ray and she is now committed to a mental institution.

Grace Stephens was committed to the mental hospital under the name of "Grace Hays Walden." Her commitment papers are on file at the office of the Probate Court Clerk in the Shelby County, Tennessee courthouse in downtown Memphis.

Her commitment file is number 12808 I.D. Her sanity hearing was held at 11:30 a.m. on July 31, 1968, in the

probate courtroom at the Shelby County courthouse. The petition for her commitment is signed by a "John A. . ." The last name is an illegible scrawl. The employees in the probate clerk's office, and other Shelby County officers, could not translate the scribbled signature.

"It could be anyone," I was informed.

Tennessee's mental health laws are written to provide quick confinement of an individual who has been accused of mental illness. A petition is filed with the judge or chairman of the county court in which the person resides. The petition asks for a sanity hearing. According to the present Tennessee law, these petitions can be filed by ". . . The parent, guardian, spouse or a responsible adult relative, or any licensed physician, health or public welfare officer, or the head of any institution in which the individual may be, or any officer authorized to make arrests in Tennessee."

Many attorneys in Tennessee believe this is a dangerous law. "It empowers too many people to ask for a sanity hearing," an attorney stated. "A two-bit, jackleg justice of the peace, magistrate, can pull a citizen in on a sanity hearing. The part reading 'the head of any institution where the individual may be is extremely dangerous. A jail, a hospital, or even a college is an institution. Conceivably, a college president could sign a petition asking for a sanity hearing for dissident students."

When a petition is filed, the individual may be placed in a psychiatric clinic for observation or confined in jail until the date of the hearing. "You will discover a person's rights as a citizen are removed without due process of the law," the

attorney continued. "The patients in a Tennessee state psychiatric hospital do not have the rights given to a prisoner in jail."

Frequently, a sanity hearing is a very informal process. "You can be tested against your will at the psychiatric clinic, and then those test results can be used against you at the hearing," the attorney declared. "To be committed, your papers must be signed by two licensed physicians. These men are not required to be psychiatrists. They could be surgeons, or an eye, ear, nose and throat man. I've known cases where the doctors never examined the patient but relied on the psychiatric reports, or statements from relatives."

Two medical doctors signed the additional papers that are required by law to send Grace Stephens to Western Tennessee State Mental Hospital at Bolivar, Tenn.

A Dr. D.G. Moore diagnosed that her illness was of "years" duration, although the physician has not known Grace Stephens for that time, according to her. Dr. Moore said her medical treatment had been "hospitalization for over three weeks," which meant that Grace Stephens was possibly kept in a psychiatric clinic in Memphis for more than three weeks prior to her hearing.

Dr. S.D. Vick diagnosed that Mrs. Stephens suffered from "chronic brain syndrome," which is a term that means nothing to laymen or psychiatrists. Dr. Vick said that Grace Stephens was "hallucinatory—see husband in ceiling—thought he was to shoot her" (although these last words could be "shout hear"). Dr. Vick's handwriting on the commitment papers is almost as confusing as his use of unknown

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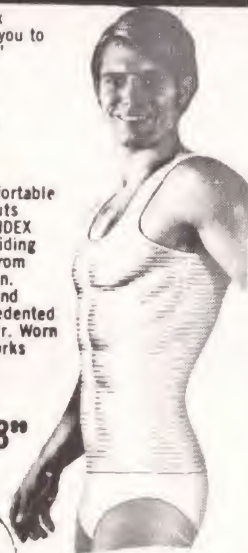
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MARTIN LUTHER KING

(Continued from page 19)

psychiatric terms.

And if she did say something about fearing her husband, did that justify committing her?

The fact that Charles Stephens, her common-law husband, was once involved in a shooting scrape, and had been known to attack Mrs. Gracie Stephens, or his girl friends, was not mentioned in the commitment papers.

In Tennessee, and most other states, an indigent person committed to a mental institution is given a court appointed attorney or guardian. At the probate court hearing, Grace Stephens was given guardian *ad litem* and counseling by attorney C. Cleveland Drennon, Jr., a former Memphis attorney-general. Drennon now has a private practice and also is a friend to the Shelby County Attorney-General. There are approximately 1,000 practicing attorneys in Shelby County and Grace Stephens wonders why a lawyer closely linked to the prosecution was selected for her court-appointed counsel.

In order to discover whether she might have been mentally ill, Renfro Hays checked other sources of information. In November 1968, and on two occasions in 1969, an attempt was made to obtain a report on the nature of her illness. She was taken to Tennessee Psychiatric Clinic, Memphis, shortly after James Earl Ray was captured. Testing, evaluation, and diagnosing of potential mental patients is performed at the clinic.

Under ordinary circumstances, the patient's file remains at the clinic. A synopsis of the report is then forwarded to the mental hospital. Contact was made with a psychiatrist employed by the Tennessee Mental Health Department.

"Look at her file and determine whether she needs hospitalization," was the request.

The psychiatrist reported: "This is the first time this has ever happened but there are no records on that woman. Someone has pulled her file."

This information was later verified through another source.

HOW GRACE STEPHENS WAS ACTUALLY FOUND

"I heard there had been a woman in the room with Charlie Stephens," Renfro Hays explained. "Everyone had ignored her and I wondered why. She had just vanished into thin air by the time I got on the case. Someone finally got a letter from her, postmarked from Western State Mental hospital. I went through the files at the probate court clerk's office, finally found she was listed as Grace Hays Walden, also known as Grace E. Stephens.

"I went over to Bolivar and talked with Mrs. Stephens," he continued. "A nurse was present throughout the interrogation."

According to Renfro Hays, the fact that Gracie Stephens was committed to the mental hospital under a generally unknown name (possibly a legal name) supported the idea that the insanity lock-up was designed to prevent her existence and whereabouts from being discovered by James Earl Ray's defense attorneys. Thus, Renfro Hays sought to learn from Grace Stephens who was responsible for her using the name "Walden." She told him: "I am desperate to get out of here. I came under the name of Grace Hays Walden because they said there were so many colored people incarcerated here and you never know who was a King admirer."

The warning had come to her from those seeking to commit her; she had been frightened into changing her name.

Incensed, she demanded: "What kind of justice is being dispensed in this country when a witness in the King case is locked up in a mental hospital?"

Was Grace Stephens sent to a mental institution because her testimony would demolish the prosecution's case against James Earl Ray? The fact is that she was a vital witness. Her statement refutes the story of her husband, Charles Stephens—the state's key witness. Furthermore, she was locked up shortly after Ray's arrest under suspicious circumstances and until this magazine article, has never had an opportunity to present her story to the public.

This is just a portion of the new evidence we have developed on the assassination of Dr. Martin Luther King, Jr.

Let us go back now to Monday, March 10, 1969, to the Shelby County courtroom that was crowded with reporters as James Earl Ray and his attorney, Percy Foreman, entered a plea of guilty to murder in the first degree. Defense attorney Foreman, the prosecution and crusty Judge W. Preston Battle had privately agreed to a 99-year sentence in return for a plea of guilty.

On the surface, the plea was usual and proper. Much fuss was made in the courtroom about James Earl Ray being treated as an "ordinary prisoner." However, it was no ordinary case. Ray had not been held in jail as an ordinary prisoner and the American public was waiting for the answers to many nagging questions about the assassination.

Since attention had first focused on the escaped convict as the possible assassin, there has been considerable publicity given to his movements prior to and after April 4, 1968. We know that

James Earl Ray mailed in a coupon to a photo mail order company and endless other bits of trivial information. However, we know very little about his movements and actions between four and seven p.m. on the day that Dr. King was assassinated.

The prosecution could prove that James Earl Ray purchased a rifle in Birmingham, Ala. on March 29, 1968. They could also prove that this same rifle was found on the street in front of the rooming house only minutes after the shooting. The prosecution might have found it extremely difficult to prove that the bullet taken from Dr. King's body was fired from the rifle purchased by Ray.

There is little doubt that James Earl Ray drove to Memphis, purchased a pair of binoculars and rented a room at the flophouse at 422½ South Main Street. With the testimony of the state's key witness, Charles Stephens, the prosecution would try to prove that James Earl Ray fired the shot and fled from the bathroom. We shall see how strong Mr. Stephen's statements really are under examination.

Ray allegedly fired the shot, walked from the bathroom, through a dim hall and down a stairway to the street. Then, unexplainably, he deposited the rifle in the doorway of the Canipe Amusement Co. He also dropped a small travelling bag containing various articles with his fingerprints.

Shortly after the assassination, the Memphis police radio network was penetrated with fake reports of a fleeing white Mustang (later found to be Ray's vehicle) at various locations in north Memphis. Then another fake Civilian Band broadcast was received by the Memphis police network and this drew more police to north Memphis. Naturally, the best escape route from the city, and state, was south.

The radio broadcast was a "prank by a high school student," according to the Memphis police; it was a "coincidence" that a high school student "knew" the killer was fleeing in a white Mustang, and more of a coincidence that just such a car later turned out to belong to James Earl Ray.

Coincidence?

"That is just too much to be a coincidence!" declares Hayes. Obviously the police had been set up and fallen for it!

"The most important witness": Charles Quitman Stephens, who lived in apartment number 6 with Grace Stephens, claims to have seen James Earl Ray emerge from the bathroom immediately after the shot was fired. "I was in my kitchen working on my radio," Stephens told nesmen. "When that gun exploded it sounded like a German 88." Stephens knows the

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sounds of the big Nazi guns; he was injured in France during WW II, has a metal plate in his skull and draws a \$113-a-month veteran's disability pension.

"I went to the door and walked out into the hallway. I could see a man at the offset in the hall," Stephens continued. "He had something in his hand wrapped in a newspaper."

Charles Stephens has been called a "retired heavy construction operator" in various newspaper stories. In reality, he is an alcoholic, a habitue of skid row, and in the jargon of Main Street, has a "drinking problem." Stephens is also known as a "mean drinker." He was involved in a shooting incident in 1964 and sentenced to the Shelby County penal farm for six months.

The hallway was lit by a bare 25-watt bulb. There is an offset in the hall between Stephens' room and the stairwell. A sober individual with excellent eyesight might experience difficulty in distinguishing a man down the length of the dark hallway.

Charles Stephens had been drinking heavily that afternoon and was probably drunk. In her statement, Grace Stephens said he "had not drunk much" and "was drinking dark port wine." As she was accustomed to her husband's drinking habits, we sought other witnesses for a report on Stephen's condition.

Lloyd Jowers is the proprietor of Jim's Grille, located directly below the rooming house. Jowers remembers the events of April 4, 1968, quite well. "Charlie was in here between four and five o'clock. He had been arguing with his landlord," Jowers said. "I remember it because Charlie was drunk. When I heard the shot, I thought Charlie might have shot his landlord."

"Drunk" is a term that needs precise definition. I asked Jowers for a more detailed description.

"Drunk is drunk with Charlie," he replied. "He was in his usual intoxicated condition. He stumbled once while he was in here and fell against one of the stools."

After he left the cafe, Charles Stephens telephoned the Veteran's Cab Company for a taxi. Cab driver James "Quick Draw" McGraw arrived at the rooming house at 422½ Main Street and went upstairs for his fare.

In a statement to Renfro T. Hays, McGraw reported: "Charlie was pretty drunk. He was down on the kitchen floor trying to fix his radio. He was in no condition to go anywhere. I know Charlie and I suggested that he stay home and sleep it off. I went back down to my cab, reported a 'no fare' to the dispatcher and left."

McGraw estimates he was at the roominghouse between "5:30 p.m. and 5:45 p.m., give or take a few minutes."

During their investigation of the assassination, agents for the FBI took the cab driver's trip sheet from the cab company files. The trip sheet was never returned.

On the morning after the shooting, Charles Stephens was interviewed by two newspaper reporters, a photographer, and a radio news broadcaster. They asked for his description of the fleeing gunman.

"Hell, I didn't see anything," Stephens reportedly said. "I didn't know what happened until the police came upstairs last night and took us to the station."

After Stephens was paid by the London newsman for his story, his statements were headlined in a London newspaper. The story was clipped by an FBI agent in London and forwarded to Washington, D.C. In turn, the information was fed back to the General Assignment division of the Memphis police department and a pick-up order was issued for Stephens. At that time, Inspector Z.A. Zachery and his investigators on the King slaying were apparently not aware that Stephens was considered an important witness.

Court Square, in downtown Memphis, is a tree-shaded city park where the hustlers, winos, alkys, pensioners, and people with time to spare, gather to discuss the state of the world, play checkers, or collect enough money for another bottle. Charles Stephens was apprehended in Court Square by a park policeman.

The patrolman telephoned an investigator on the King squad. "I've got Charlie Stephens here. What do you want me to do with him?"

"We don't want him," the investigator said. "He doesn't know anything."

"General assignment has a pick-up order out for him. He's supposed to be an important witness," the patrolman said.

"All right," growled the investigator, "bring him in."

Stephens was promptly put in jail. He was held on a \$10,000 bond as a material witness in the case and jailers were instructed that he was not allowed any visitors.

When the extradition hearing for James Earl Ray was held in London, Stephens was characterized as vitally important to the case. Barrister David Calcutt, who was representing the United States, was quoted as saying, "Charles Stevens is an important witness to the assassination." (His name was misspelled in news dispatches and official documents.)

At a *habeas corpus* hearing in Memphis, prosecutor James C. Beasley informed the court that "no other witness can testify to the same material facts." Beasley said Stephens was placed in jail "to keep him from being disposed of—to speak plainly."

This statement by the prosecutor about potential danger to witnesses prevented Renfro Hays from developing his investigation as thoroughly as possible. "There are silent people in Memphis who have information on the assassination," Hays said. "They are afraid to be put on record because of their fear of retaliation."

Stephens' importance as a key witness did not reach the Memphis newsrooms for several months. His name was spelled as "Stevens" for a long time.

After his release following the *habeas corpus* hearing, Stephens was placed under a two-man, three shift 24-hour police guard. An owlish man with horn-rimmed glasses, Stephens has a long police record in Memphis. He was involved in the shooting in 1964 and has been indicted on other occasions. However, his file at the Memphis Police Department was pulled by parties unknown and, at the time of this writing, no information can be obtained concerning his police record.

Grace Stephens signed a statement that someone other than James Earl Ray left the bathroom immediately following the shooting. Grace was committed to a mental institution a short time after James Earl Ray was arrested. On the other hand, her common-law husband, Charles Stephens claimed he could identify Ray as the assassin who fled from the bathroom. Charlie also discovered that his role as a co-operative state's witness was a very lucrative opportunity.

Stephens was provided with a charge account at Jim's Grille, owned by Lloyd Jowers. The prosecutor's office paid Stephen's food bill on several occasions, Jowers stated.

Later, the authorities moved Stephens from his dismal room in the flop house. A larger, much nicer apartment was rented in another section of the city. Rent on the apartment was paid from a cash slush fund in the prosecutor's office. "Charlie was really living high in those days," said a friend.

With this new affluence, Stephens became well acquainted with his police guards. On several occasions, he attempted to use the police cruisers for transportation to purchase whiskey and beer from local bootleggers. He entertained his friends from skid row and also began to discuss the reward offered for the capture of Dr. King's killer.

Stephens retained an attorney and filed for the reward monies. His claim to the reward is presently in the hands of attorneys.

Although Stephens was said to be the only eyewitness who could place James Earl Ray at the scene of the crime, the prosecution did not put him on the witness stand during the brief

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hearing held after Ray pleaded guilty.

The rifle in the doorway: According to the official version, James Earl Ray shot Dr. King from the bathroom window, then walked immediately from the bathroom, through the hallway and down the stairs onto the street. Then, the fleeing murderer is said to have done something utterly ridiculous. He wrapped his rifle in a green bedspread, according to police reports, and laid the weapon down in the doorway of the Canipe Amusement Company. He also dropped his travel bag at the same time, *all with his fingerprints on the items!*

Some authorities claim this was a boastful killer's way of saying: "I did it."

Others believe he may have noticed policemen running toward him, became frightened, and dropped the weapon. However, Ray could have taken two or three more steps and have hidden the rifle behind a billboard or in a weed-strewn machinery yard. Safely concealed, it would have been hours, even days, before the police would have discovered the weapon.

There are many unsatisfactory explanations concerning the rifle. The police did not release the information that the rifle was wrapped tightly in a white sheet, then placed inside the rifle box. The rifle and the travel kit, or bag, was then tightly wrapped inside a green bedspread.

Dr. King was shot at 6:01. The rifle was in the possession of the police within four minutes. The gunman would have to be an unusually versatile individual to wrap the weapon so securely, walk down the hallway, down the steps and disappear in three or four minutes. Even more confusing, Charles Stephens claimed the fleeing gunman carried "something wrapped in newspaper," yet the rifle was found wrapped in a sheet *plus* a green bedspread only a couple of minutes later.

Could James Earl Ray flee the scene of an assassination, carrying a rifle, a rifle box, his travel bag, a white sheet, and a bedspread?

Based on the account of two new witnesses (whose names are being withheld by request), discovered and interrogated by Renfro T. Hays, the events are self-explanatory; the question no longer a question.

The interview with the first witness was conducted in the presence of a veteran court reporter, Al Chambers, who recorded the conversation. This witness stated that from the Canipe Amusement Company showroom he, along with two other people (unidentified) saw the alleged assassin drop the rifle in the doorway of the store.

Reports Renfro Hays: "I was informed that the rifle was dropped in a doorway by a man in a dark suit. I asked

when the rifle was dropped. This witness was adamant in his answer. He said the rifle was dropped *10 or 15 minutes before the police arrived!*"

The police picked up the rifle at approximately 6:04 or 6:05 p.m. Dr. King was shot at 6:01 p.m. According to this timetable, the rifle was placed in the doorway *before Dr. King was shot!*

"I was really shook by that statement. It meant the rifle was a plant," Renfro Hays remarked. "I started hunting for someone else who might have seen the incident, and succeeded in finding a second witness who says the rifle was there at least 10 minutes before the police picked it up."

Let us call him "John." John is the pseudonym of a frightened young Negro, age 25, who drove to South Main Street on that evening to pick up his girl friend. "She works at a place down there," he informed Renfro Hays. "I pick her up and drive her home. My wife doesn't know I was messing around with this gal. She would divorce me in a second. Besides, I don't want anybody gunning me down for something I just happened to see.

"I was waiting for my girl friend when I saw a white man in a black suit come down out of the rooming house. I remembered him because he was dressed in a suit. He looked a little nicer than anyone else down in that part of town. He walked to a white Mustang, opened the trunk and took out something wrapped in a green bedspread.

John continued: "He walked to the Canipe Amusement Company and laid it down in the doorway. That was a very strange thing to do. Anything that isn't nailed down will disappear in a minute in Memphis. After he laid the package in the doorway, he walked *north*, crossing the street. There were some people standing in front of the fire station. Just then my girl came up to my car.

"She punched out at 5:50 p.m. on the time clock," John continued. "Figure a couple of minutes to walk down to the car and it was still five or six minutes to six o'clock. The rifle was already in the doorway then."

John claims to have been several blocks away from the South Main Street area by 6:00 p.m. "I would have testified at the trial for Mr. Hays and Mr. Hanes," he said. "But when James Earl Ray fired them and brought in the dude from Texas, I wasn't about to stick my neck out when a man pleads guilty."

Why place a rifle in the doorway several minutes *before* the assassination? Renfro Hays has a theory. "When the police came running up and found the rifle on the sidewalk, this indicated the killer had already left the area," he said. "They did not go up into the rooming house at that time. They scattered and started searching the neighborhood. Then, the radio broad-

casts about the white Mustang drew them farther away from the scene. It was a diversionary tactic. It was quite some time before they went upstairs in the rooming house. The planted rifle also pulled them away from searching the bushes in the vacant lot behind the rooming house.

"There was a newspaper reporter upstairs (in the rooming house) interviewing people before the police arrived," Hays declared. "Yet, I've checked with everyone and I can't find anyone from the papers, or radio station, who was upstairs before the police. If we want to be a little paranoid, we might consider the reporter was actually someone in the conspiracy checking on what the roomers knew."

Hays also believes the rifle was planted as another piece of evidence against James Earl Ray. "Ray came to Memphis thinking he was going to sell rifles to some Cuban exiles," Hays said. "He had purchased the rifle in Birmingham, as a sample gun to show the gun buyers. He exchanged it for another gun. The prosecution claims the first rifle would not fire. I talked with people at gun factories. Did you ever hear of a new gun not firing? Well, they didn't either. They said their weapons are tested before they leave the factory.

"Based on facts from my investigation, and information gained from James Earl Ray, he was ordered to exchange the gun in Birmingham *so he would be remembered by the store owner*," Hays continued. "A man might forget a customer who buys a gun and vanishes. He won't forget a man who buys a gun, exchanges it and then has to have the scope changed. Ray was being manipulated. The gun on the sidewalk drew the police away from the men who pulled the trigger."

Besides the gun, Ray's travel bag was left on the sidewalk. I was suddenly struck by the thought that each article left in the bag was a clue to Ray's travels in the months prior to the assassination. He left a transistor radio that he had purchased a couple of days before his escape from Missouri State Prison. A hammer and pliers, two very unusual objects in a travel bag, were purchased on the West Coast. They led the investigation to that part of Ray's life. The binoculars in the bag linked him to Memphis. The rifle led to his time in Birmingham.

The travel bag also contained several large sized T-shirts and a pair of size 28 underwear shorts. James Earl Ray could possibly wear the T-shirts but he definitely could not wear the shorts. Ray wears a size 34 shorts. However, laundry marks on the underwear did lead the FBI to the Los Angeles area.

Says Renfro Hays, "that rifle and travel bag were planted in the doorway

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to implicate Ray and, at the same time, lead the police away from the rooming-house."

When Ray's abandoned Ford Mustang was located in Atlanta, Ga., there were several items of clothing found in the automobile's trunk, including: a blue, short-sleeved shirt, a sweatshirt, a jacket, and a pair of walking shorts. Two bedsheets, a pillow and pillow cases were also found in the trunk. Several items in the trunk were small-size garments. They would not have fit James Earl Ray. They would fit a man of small stature, weighing about 125 pounds. Also there were many cigarette butts in the ashtray (though Ray doesn't smoke). Furthermore, when the white Mustang was found in Atlanta, it had been wiped clean of all fingerprints.

The only fingerprints belonging to James Earl Ray found in Memphis were on the contents of the travel bag or the rifle. There were absolutely no prints belonging to Ray found in the rooming house or the bathroom.

The significance of this information about the fingerprints is enormously important. For the prosecution is saying that James Earl Ray was not smart enough to keep his fingerprints off the rifle and traveling bag (which Renfro Hays claims was a plant) but was smart enough to keep them off the abandoned Mustang.

As for the bathroom, Inspector Z. A. Zachery removed its window sill. He announced that a "fresh indentation" in the wood was consistent with marks made by the rifle. (While I was in Memphis I walked up the dark stairway to the bathroom. You do not have to go through the rooming house lobby; many characters on skid row use the bathroom quite freely.) I discovered that the remaining wood around the window frame is old, painted hardwood. It was almost impossible to raise a sliver of wood with a pocket knife.

"I was getting plenty of information from the police," Renfro Hays said. "They dusted the bathroom for fingerprints. There were several prints on the window sill. These prints have never been shown to have any significance by law enforcement authorities."

Several newsmen theorized that the indentation was made by the rifle kick after it was fired. However, a rifle will kick upwards and to the right after firing. It does not jump downward.

The question of ballistics on the .30-06 rifle left in the doorway and the slug removed from King's body is puzzling. The police and prosecution claimed the bullet was fired from the abandoned rifle. However, in testimony presented at Ray's trial, these questions were left unanswered.

Assistant Attorney-General James C. Beasley entered little material on ballis-

tics into the record. He stated:

"Mr. Robert A. Frazier, the chief of the Firearms Identification Unit of the FBI with 27 years experience would testify to the firing of this rifle, that has been here to be introduced. He examined the cartridges, the hull from the chamber of this rifle, the slug removed from the body of Dr. Martin Luther King, Jr., and would testify to the conclusions as . . ."

(At this point, I will paraphrase the remarks of Asst. Attorney-General Beasley and add the comments of a respected attorney who specializes in criminal law):

- "The death slug was identical in all physical characteristics to the five loaded .30-aught-6 cartridges found in the bag in front of Canipes," said Beasley. (Comment: "They are admitting that one rifle slug is like another one.")

- "The cartridge (Editor's Note: This was found on the bathroom floor of the roominghouse) had in fact been fired in this .30-aught-6 rifle." (Comment: "But he isn't saying anything about ballistics.")

- "That the death slug removed from the body contained land and groove impressions consistent with those present in the barrel of the rifle." ("Comment: "Ballistics is a precise, positive science. He is not saying the bullet was fired from the rifle. The land and groove marks on any rifle bullet are consistent with those from any other rifle barrel. They are not a positive ballistics match. I'd love to have this on cross-examination.")

We will leave the courtroom and turn to Mr. Art Hanes, Ray's attorney, for his information on ballistics. Hanes says, "The .30-06 rifle found in the doorway was not the rifle used to kill Martin Luther King and the FBI knows it."

Mr. Hanes, a former agent for the FBI is an experienced trial lawyer. He has examined the bullet removed from Dr. King's body. "The slug had enough markings on it to be traced to the murder weapon," he said. "A kid could have traced it."

Hanes reports that Ray and a "contact man" took the rifle to Memphis. Ray thought he was showing the rifle to Cuban exiles who were interested in purchasing or stealing rifles. "The contact man abandoned the rifle, which had Ray's fingerprints on it, on the street so that Ray would be the fall guy in the murder," Hanes said.

If Ray was the "fall guy" in a conspiracy, this would mean he was contacted by one or more persons while he was in Memphis.

RENFRO HAYS INTRODUCES NEW WITNESS NO. 4

The three men in Ray's room: "Jack" is the pseudonym of a well-known skid

row character and member of the Memphis underworld. Renfro Hays and I found Jack standing beside the fountain in Court Square in Memphis. He grinned easily over yellowed teeth and his breath smelled like warmed over death.

"I've been on a bender for a couple of weeks," he drawled. "Don't breathe deeply if you're standing downwind."

Jack is a friend of Charlie Stephens. He also knew Commodore Stewart, who formerly lived in room 5B at the roominghouse, the room that James Earl Ray rented.

"Old Commodore died on March 29th. I was on another drunk then," Jack said. "I was bumming around South Main. I was pretty looped up one night and, instead of going home, I just walked upstairs at 422½ and slept in the Commodore's room. There was a useless little latch on the door. A baby could open it. Charlie Stephens knew I was sleeping there. I stayed one or two nights. The landlady never knew about it.

"If you've been over there, you know the room where Commodore lived was on the side away from the lobby. All I had to do was walk upstairs. It was easy to avoid the landlady," said Jack.

Jack was still cruising the bars on the fatal afternoon of April 4th. "I decided to take a nap in Commodore's room. I walked up to the roominghouse. I opened the door and saw three men inside the room," he continued. "I figured the landlady had rented the room. So I excused myself and got the hell out of there. I didn't want any trouble."

Could he identify the men? Was James Earl Ray in the room? Jack shrugged. "I was drinking. It could have been the President and I wouldn't have recognized him."

How were they dressed? "Nothing special. I slammed that door as soon as I opened it," Jack replied. "I saw three men. I didn't get a very good look."

Why didn't he go to the authorities after Dr. King was murdered? "I have a record as long as your arm. I was run out of one state because there was a disagreement over a card game and four men in a room with me were perforated with bullets. I had a hard time convincing the judge and jury that it was self-defense."

Would he sign a statement about the incident? "No. Absolutely not," Jack said. "I was planning to go into court with Art Hanes and Renfro. They convinced me that it was my duty. Now, I'm not getting messed up. Ray is pulling a long 99 years in Nashville. He'll stay there until he walks out into the prison yard. Then, they'll carry him out in a pine box. That's the word around town."

After he obtained the story of the
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three men in the room from Jack, Renfro Hays had subsequent conversations with his informant. He was especially intrigued by a chance remark Jack made one evening. "Jack asked me one night if I was confused by the empty cartridge found in the bathroom," Hays related. "This was, and still is, one of the most puzzling parts of the assassination. There was no shell in the gun when it was found on the street. This meant that if he did the shooting, Ray put only one bullet into the rifle. It doesn't make sense for a man with a repeating rifle to leave five other shells in his travel bag.

"With only a single bullet in the gun, would an assassin stop, eject the empty cartridge in the bathroom and then leave?" Hays asked. "Would you stop and eject an empty shell if you knew there wasn't another bullet in the gun? Would an assassin try a hard shot with only one bullet?"

Jack hinted to the private detective that he knew who placed the empty shell in the bathroom. "I could never get the rest of the story from him," Hays stated. "Art Hanes and I know the cartridge was fired in the rifle. But, the slug taken from Dr. King's body didn't come from the rifle. Consistent is not a positive ballistics test."

Jack would be a very unreliable witness in a courtroom. At this late date, he might claim "I don't know nothing" and remain silent on his brief encounter with the three men he claims to have seen in Ray's room.

RENFRO HAYS INTRODUCES NEW WITNESS NO. 5

The man in the bushes: "Buttermilk Buford" is the pseudonym of a tall, gaunt old man who roams the back alleys of Memphis, walking with a pained shuffle as his dark, bird-like eyes glance over the world. His thin hands probe the garbage cans for something that can be sold. Once, he was a star football player for "ole Miss," but the cheers of the Saturday crowds are a dim memory for a lonely old man.

He made the following statement to Renfro Hays on what he saw of the assassination:

"Statement of 'Buttermilk Buford,' male, white, age 66, taken on August 25, 1968, in Memphis, Shelby County, Tennessee:

"My name is 'George Buford' and I am also known as 'Buttermilk Buford.' I live at 422½ South Main Street, Memphis. I have not worked for the last three years because of a stroke. I was living at 422½ South Main on April 4, 1968. On the afternoon I was sitting out on the vacant lot behind the roominghouse

with --- and another man who works on the river. We were sitting there on some cardboard next to some bushes, watching the people over at the Lorraine Motel as there was a lot going on over there.

"Just before 6 o'clock, --- and the other fellow left but --- was supposed to come back. Then, two M.C. (two colored men) standing on the ground at the Lorraine Motel started calling up asking for someone 'to get Dr. King to the door.' A man, I guess he was Dr. King, came out the door and came to the rail and started talking to these men on the ground.

"At the same time I heard someone walking behind me from the other side of the bushes. I thought it was --- coming back and I didn't even look around. Then, there was a loud shot from the bushes right beside me. I looked around and saw this man running away, north. He was about my size and he must have been young because he moved fast. He had on dark clothes with a high necked white sweater. He had a rifle or shotgun in his hand. When he got to the northwest corner of the lot, he took the stock off his gun and threw it in some bushes and put the barrel under his jacket. Then, he stepped down onto the sidewalk.

"Everyone was running to the motel then and he just walked on away from there, I got up and walked back up to the street and up to my room. Later that night the police came and took us all down to the station. I told a detective what I saw and he called me a damned liar. When they talked to me again I told them I didn't know anything. I never got around to telling them where the gun stock was.

"I have nothing to hide about this. I never saw that man before or since, that I know of. If the police had treated me like a human being I would have told them everything I knew.

"I have read this statement of one and two-thirds pages and it is true to the best of my knowledge."

Signed/Buttermilk Buford'

Solomon Jones, the chauffeur for Dr. King, was standing directly below the balcony when the shot struck the Negro leader. Jones said he saw a man "with something white on his face" creep down from the thicket of bushes across the street. Another man who was at the Lorraine Motel said that the shot "probably came from the thicket." He also saw a man leave the bushes."

Lance ("Sweet Willie Wine") Watson, a leader of the Memphis Invaders, a militant black power group, informed me that he knew a taxi driver who also saw a man leave the bushes and walk away.

I asked for the cab driver's name.

"He's frightened. It is not general knowledge but one of the men in Dr. King's party has been shot at. I am doubtful that this man would discuss anything about what he saw. I'll call and ask him." Sweet Willie reported later that the cab driver did not want to discuss the experience.

The statement from Buttermilk Buford and from Solomon Jones, indicates there was a gunman in the bushes.

Mr. Buford said that the gunman broke down his gun and threw the stock in some bushes. *A gun stock was later found in a pile of junk in the vacant lot. This gun stock is now in a Memphis bank vault. It was carefully handled and, to date, has not been dusted for fingerprints. The man who has the gun stock said he will deliver this evidence to the "authorities I consider proper and at the right time."*

The fake radio broadcast: "What are the two easiest items to trace in this country?" Renfro Hays asked me during our investigation. He then answered his own question. "A gun and an automobile. Ray's gun was very conveniently dropped at the scene of the assassination. Next, the police radio was penetrated with fake reports on a white Mustang. Then, there is the enigma of the Civilian Band broadcast which the police said was a 'prank' pulled off by a kid who lived back of the International Harvester plant."

Hays refused to believe in coincidence. "It was extremely coincidental that a kid would use a white Mustang in a fake broadcast. It is even more of a coincidence when you consider that the other car involved was a 1966 blue Pontiac automobile. One of the top officials in the police department drove a car like that. Every policeman in Memphis thought their boss was chasing down the killer. They headed out there as fast as possible."

RENFRO HAYS INTRODUCES NEW WITNESS NO. 6

The fake broadcast was actually made from a fixed base citizen's band transmitter located at a Memphis business firm. "My client was in a certain place on a routine errand," a Memphis attorney informed me. "Just by accident, he overheard a telephone conversation by the owner of that business. The man said: 'Kill the sonofabitch tonight and my brother in New Orleans will pay you off.'"

The attorney refused to reveal the name of his client. He asked that his own name not be mentioned. "Our lives could be jeopardized if this was publicized," the attorney said.

However, Renfro Hays has interrogated the reluctant witness. "He also

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overheard the fake CB broadcast from the same business firm," Renfro said. "He couldn't leave until the broadcast was completed. He saw two men get into a Cadillac sedan with Louisiana plates and drive away. They were the two men who made the broadcast, he said."

Other deaths: Lorraine Bailey was the manager of the Lorraine Motel, where Dr. King was staying when he was assassinated. Three hours after King's death, Mrs. Bailey ruptured a blood vessel, hemorrhaged and died. Walter Bailey, owner of the Lorraine Motel, is not satisfied that her death was an accident.

"She was a strong, healthy woman," he said. "There is always the possibility that she saw something she shouldn't have seen. Maybe she didn't even realize it was important. There was so much happening then that we don't know what might have occurred."

Commodore Stewart occupied apartment No. 5, which was the room Ray rented. Commodore Stewart died on the same day that James Earl Ray purchased the rifle in Birmingham, March 29, 1968.

There were two separate entrances into the roominghouse. James Earl Ray turned down a room overlooking Main Street and asked the landlady, Mrs. Bessie Brewer, for a sleeping room. He was satisfied with the room formerly occupied by Mr. Stewart.

"The area where Ray's room was located is in a part of the building occupied by permanent guests," Renfro Hays explained. "There had not been a vacancy over there in months. Commodore was old, and he could have died a natural death. But he died at a very convenient time."

Renfro T. Hays and I are now investigating the possible murder of a woman who was linked to the case. Several people have claimed she was savagely beaten shortly before her body was found in a vacant lot beside Young's Cafe in Memphis. These witnesses claim they can identify the man who beat up the woman. We are continuing

our investigation.

The red-lettered numbers: "This was a well-planned conspiracy and that afternoon in Memphis was almost like a stage play. People were moved around and brought into town to play their roles. Ray had the role of the patsy, the fall guy. It was necessary to establish his presence in Memphis. He was to rent the room because this would further throw guilt upon him," Hays said.

"Someone in Memphis knew that room number 5 was vacant in the roominghouse," Hays continued. "They told Ray to follow instructions."

1) He was to drive down South Main Street from the business section until he arrived at Jim's Grille;

2) He was to go upstairs and rent a sleeping room above the restaurant;

3) He was then to come back downstairs and enter Jim's Grille. He was to write the room number in red pencil on the wall beside the telephone.

"Writing down the room number on the wall was a safety precaution," Hays explained. "If room number five happened to have been rented, this gave them a measure of safety. It also allowed the conspirators to go directly to the room Ray had rented without having to inquire at the desk."

Following these instructions, Ray drove down South Main Street looking for Jim's Grille. He had barely left the business district when he spotted a sign reading "Jim's Club," a popular tavern in Memphis. Ray wheeled his Mustang to the curb and entered Jim's Club, ordered a beer and asked about renting a room over the tavern.

"When they told Ray there were no rooms rented at *Jim's Club*, he almost panicked," Hays recalled. "He kept insisting someone had told him there was a room vacant above the club. Finally, one of the customers in the tavern informed him that he probably was confusing Jim's Club with Jim's Grille."

Ray was given directions to the correct roominghouse, a couple of blocks down the street. "He rented the room

above Jim's Grille," Hays continued. "However, he did not come downstairs and write the number on the phone wall at Jim's Grille. He drove all the way back to Jim's Club and wrote the number 'five' on the wall by the phone there."

Even in making his mistake, he still went back to the wrong place and put the red letter number on the wall," said Hays. Meanwhile, the assassins were going in and out of Jim's Grille and vainly searching for the room number supposed to be written beside the phone.

"Finally, one of them got up the courage, walked upstairs and knocked on Ray's room door," said Hays.

The red-lettered numeral is still on the wall in Jim's Club. It is still identifiable, although it is surrounded by dozens of black-pencilled phone numbers. "I always think of this episode when some writer mentions Ray's alleged native cunning in being the lone assassin," Hays remarked. "He couldn't distinguish Jim's Grille from Jim's Club. Then, when he did get straightened out, he still ran back to write the number on the wall at the wrong place."

There are even rumors in Memphis today that the authorities were part of the conspiracy. There was intense pressure to convict Ray, but it came from powerful Memphis business interests. Shoppers have shunned the downtown stores since the death of Dr. King and the drop in business volume has been drastic. Wealthy civic leaders worried privately about "a reputation like Dallas" and breathed grateful sighs of thanks when Ray pleaded guilty to murder.

Memphis is a fearful city today, tense with the anxious expectation of sudden racial violence. In my many weeks in Memphis, I did not find a single person who believed Ray acted alone—except for a few attorneys on the prosecution team.

Despite the many reams of newspaper copy and magazine articles written on James Earl Ray, the true story of who killed Dr. Martin Luther King Jr. has yet to be written. ★

DEVIL'S SEA

(Continued from page 23)

easygoing attitude toward UFOs, mysterious disappearances, and bizarre natural phenomena. "Almost everybody here has a story," says Lt. Malcolm Heeds, the Wing public affairs officer. "You can't tell us that all of the

sea's mysteries are 'solved.' We know better."

Many of the Marines remember the night of Feb. 12, 1974, when UFOs were spotted all over Western Japan and two of their colleagues—Lt. Col. C. F. "Chuck" Zangas and Capt. R. J. "Red" Elting—were "attacked" by a UFO in their A-6 jet near Fukuoka. While press spokesmen dismissed the

sighting and never acknowledged that the A-6 had tangled with an illuminated, saucer-like object, bombardier-navigator Elting told me he was certain the UFO was an alien spacecraft.

U. S. servicemen who fly the Devil's Sea are also mindful that the zone claimed two Air Force C-130 transports in 1974. One of these, on Apr. 20, 1974, crashed on Guam for no apparent

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